

**ACTION SHEET
HOOPA VALLEY TRIBAL COUNCIL
REGULAR MEETING (rescheduled from 10/15/09)
TRIBAL COUNCIL CHAMBERS
OCTOBER 19, 2009**

“THE ACTION SUMMARIES ARE SUBJECT TO CHANGE UPON THE FINAL APPROVAL OF MINUTES.”

MEMBERS PRESENT: LEONARD E. MASTEN JR., CHAIRMAN, JOSEPH LE MIEUX, MARCELLENE NORTON, BYRON NELSON JR., LEROY JACKSON, OSCAR BILLINGS, AND SGT. AT ARMS, WILLIAM CARPENTER JR.

ABSENT: MARGARET DICKSON (SICK LEAVE)

THE COUNCIL MEETING CONVENED AT 10:05 A.M. AND ADJOURNED AT 11:35 A.M.

MOTION#1 TO ADOPT THE AGENDA WITH AMENDMENTS. MSC: BILLINGS/JACKSON. MOTION CARRIED.

MOTION #2 TO APPROVE CONTRACT FD-10-01 BETWEEN HOOPA VALLEY TRIBE AND TOM YEOMANS, FOR MANUAL RELEASE FOR GROWTH ON NORTH SUPPLY CREEK “A, B, & C” TIMBER SALES COVERING 42.9 ACRES AT A COST OF \$13,299.00. CONTRACT TO BE FUNDED BY ACCOUNTS #120-99913-9650, #120-99913-9850, AND #120-99913-9860 FOR TRIBAL FORESTRY DEPARTMENT. PROVIDED CONTACTOR IS IN COMPLIANCE WITH THE TERO ORDINANCE AND THE DRUG AND ALCOHOL POLICY. MSC: NORTON/BILLINGS. MOTION CARRIED.

MOTION #3 TO ADOPT A RESOLUTION REQUESTING APPROVAL OF THE FY 2010 FOREST MANAGEMENT DEDUCTION EXPENDITURES PLAN IN THE AMOUNT OF \$198,222.00 FOR THE FORESTRY DEPARTMENT. MSC: BILLINGS/NELSON. MOTION CARRIED.

MOTION #4 TO ADOPT A RESOLUTION TO REQUEST APPROVAL OF THE FY 2010 FOREST MANAGEMENT DEDUCTION EXPENDITURES PLAN TO UTILIZE FUNDS SPECIALLY FOR POST-FIRE REFORESTATION ON THE HOOPA VALLEY INDIAN RESERVATION IN THE AMOUNT OF \$93,805.00 FOR THE FORESTRY DEPARTMENT. MSC: BILLINGS/NORTON. MOTION CARRIED.

MOTION #5 TO RE-ADVERTISE FOR THE BID FOR 15-20 YEAR OLD PLANTATIONS WITHIN THE BULL CREEK “O” TIMBER SALE

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COVERING 87.6 ACRES FOR THE FORESTRY DEPARTMENT.
MSC: LE MIEUX/BILLINGS. MOTION CARRIED.

MOTION #6 TO APPROVE THE PERMIT FOR 2009 GRAVEL HARVEST PLAN COVERING 2010-2014. MSC: JACKSON/BILLINGS. MOTION CARRIED.

MOTION #7 TO ADOPT A RESOLUTION AUTHORIZING DANIELLE VIGIL-MASTEN TO TESTIFY BEFORE THE OFFICE OF VIOLENCE AGAINST WOMEN ON VIOLENCE AGAINST AMERICAN INDIANS AND ALASKA NATIVE WOMEN AND TO ADD A COUNCIL MEMBER. MSC: BILLINGS/JACKSON. MOTION CARRIED.

MOTION #8 TO APPROVE PAYMENT OF \$6,945.00 TO EVANS MECHANICAL TO REPAIR HEATING/AIR CONDITIONER IN THE FRONT OFFICE FROM ACCOUNT #517-94600-0900 FOR THE FOOD DISTRIBUTION PROGRAM. MSC: JACKSON/NORTON. MOTION CARRIED.

MOTION #9 TO APPROVE A CONTRACT FOR KISHAN LARA AS SOLE SOURCE TO DEVELOP A "SUCCESS IN INDIAN COUNTRY CLASS" FOR THE EDUCATION DEPARTMENT. MSC: BILLINGS/JACKSON. MOTION CARRIED.

MOTION #10 TO APPROVE A BUDGET MODIFICATION IN THE AMOUNT OF \$5,000.00 FROM THE CELL TOWER TO THE GENERAL REVENUE ACCOUNT. MSC: LE MIEUX/NELSON. NOES: JACKSON. MOTION CARRIED

MOTION #11 TO APPROVE ADDENDUM TO BRYAN PREPPENAU'S CONTRACT FOR BROAD BAND GRANT. MSC: LE MIEUX/NORTON. NOES: JACKSON. MOTION CARRIED.

MOTION #12 TO APPROVE PAYMENT OF \$6,819.00 TO HARPER FORD FOR A F250 TRUCK FOR THE FOOD DISTRIBUTION PROGRAM FUNDS FROM THE CALIFORNIA ENDOWMENT ACCOUNT #TBD-82700-0900 FOR THE FOOD DISTRIBUTION PROGRAM. MSC: JACKSON/BILLINGS. MOTION CARRIED.

MOTION #13 TO APPROVE AND ACCEPT THE EPA GRANT AWARD, CERCLA, SEC. 128 IN THE AMOUNT OF \$85,000.00 INTO THE TEPA/LAND MANAGEMENT BUDGET FOR FY 09/10 BUDGET ATTACHED. MSC: BILLINGS/JACKSON. MOTION CARRIED.

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MOTION #14 TO ADOPT A RESOLUTION FOR A RESIDENTIAL LEASE AGREEMENT FOR GI-NUH LINCOLN, LOT 300-C, MESCOT FIELD FOR RESIDENTIAL PURPOSES. MSC: NORTON/JACKSON. MOTION CARRIED.

MOTION #15 TO ADOPT A DESIGNATION OF THELMA MITCHELL'S ASSIGNMENT, LOT 469, HOSTLER FIELD TO HER DAUGHTER, LISA LORRAINE MITCHELL. TO ALSO APPROVE A RESOLUTION TO LISA LORRAINE MITCHELL FOR LOT-469, HOSTLER FIELD FOR RESIDENTIAL PURPOSES. MSC: NELSON/BILLINGS. MOTION CARRIED.

MOTION #16 TO APPROVE THE RELINQUISHMENT OF DORENE MCKINIGHT'S ASSIGNMENT, LOT 4-T, NORTON FIELD TO HER NEPHEW, JOSEPH MARSHALL FOR RESIDENTIAL PURPOSES. TO ALSO APPROVE A RESOLUTION TO JOSEPH MARSHALL FOR LOT 4-T, NORTON FIELD FOR RESIDENTIAL PURPOSES. MSC: NORTON/LE MIEUX. MOTION CARRIED.

MOTION #17 TO ACCEPT THE TRIBAL RESOURCES GRANT PROGRAM – HIRING (TRGP-HIRE) GRANT FROM THE U.S. DEPARTMENT OF JUSTICE (COPS OFFICE) IN THE AMOUNT OF \$190,561.00 FOR TRIBAL POLICE DEPARTMENT. MSC: BILLINGS/JACKSON. MOTION CARRIED.

MOTION #18 TO APPROVE OUT OF STATE TRAVEL TO ALBUQUERQUE, NEW MEXICO, FOR JUDGE BLAKE AND ASSOCIATE JUDGE KRIEGER TO ATTEND THE NAICJA ANNUAL CONFERENCE, OCTOBER 18-23, 2009. MSC: BILLINGS/JACKSON. MOTION CARRIED.

MOTION #19 TO APPROVE TRAVEL TO PORTLAND, OREGON TO ATTEND TRIBAL ARCHIVES, LIBRARIES AND MUSEUM NATIONAL CONFERENCE, OCTOBER 19-22, 2009 FOR LEO ACRPENTER JR., RECEIVED A FULL PAID SCHOLARSHIP TO ATTEND THIS CONFERENCE. MSC: BILLINGS/JACKSON. MOTION CARRIED.

MOTION #20 TO APPROVE A BUDGET MODIFICATION IN THE AMOUNT OF \$3,915.00 TO CLOSE OUT FUND #339 AT 9/30/09 FOR THE AFTER SCHOOL PROGRAM. MSC: NORTON/BILLINGS. MOTION CARRIED.

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MOTION #21 TO ACCEPT THE CHILD CARE FOOD BUDGET IN THE AMOUNT OF \$23,015.00 FOR THE CHILD DEVELOPMENT CENTER AND PRESCHOOL PROGRAM. MSC: JACKSON/NORTON. MOTION CARRIED.

MOTION #22 TO ACCEPT CHILD CARE FOOD BUDGET IN THE AMOUNT OF \$3,500.00 FOR THE AFTER SCHOOL PROGRAM. MSC: BILLINGS/NORTON. MOTION CARRIED.

MOTION #23 TO ACCEPT CHILD CARE FOOD BUDGET IN THE AMOUNT OF \$30,660.00 FOR THE HEAD START CENTER. MSC: NORTON/JACKSON. MOTION CARRIED.

MOTION #24 TO ACCEPT CHILD CARE FOOD BUDGET IN THE AMOUNT OF \$625.00 FOR THE EARLY HEAD START CENTER. MSC: NORTON/NELSON. MOTION CARRIED.

MOTION #25 TO ADOPT THE RESOLUTION TO ACCEPT THE CSBG COMMUNITY SERVICE BLOCK GRANT IN THE AMOUNT OF \$46,920.00 FOR THE HUPA LEARNING CENTER PROGRAM. MSC: NELSON/BILLINGS. MOTION CARRIED.

MOTION #26 TO ACCEPT THE EARLY HEAD START/HEAD START CONVERSION FINANCIAL ASSISTANCE AWARD IN THE AMOUNT OF \$447,584.00. EACH HEAD START PORTION OF \$396,553.00 AND ALSO HEAD START PORTION \$81,031.00 SEE ATTACHED BUDGET FOR EARLY HEAD START. MSC: NORTON/NELSON. MOTION CARRIED.

MOTION #27 TO APPROVE A BUDGET MODIFICATION IN THE AMOUNT OF \$3,100.00 FOR DEPARTMENT #1174 DISABILITY BUDGET TO CLOSE OUT 08/09 GRANT FOR EARLY HEAD START. MSC: LE MIEUX/BILLINGS. MOTION CARRIED.

MOTION #28 TO APPROVE EARLY HEAD START'S DEPARTMENT #1168 BUDGET MODIFICATION IN THE AMOUNT OF \$9,035.00 TO CLOSE OUT GRANT AS OF JULY 31, 2009. MSC: BILLINGS/LE MIEUX. MOTION CARRIED.

MOTION #29 TO APPROVE A BUDGET MODIFICATION IN THE AMOUNT OF \$2,031.00 FOR DEPARTMENT #1169 ADMINISTRATION BUDGET TO CLOSE OUT 08/09 GRANT FOR EARLY HEAD START. MSC: LE MIEUX/NELSON. MOTION CARRIED.

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MOTION #30 TO APPROVE TRAVEL FOR THREEE (3) EARLY HEAD START STAFF AND ONE (1) POLICY COUNCIL MEMBER TO TRAVEL TO FT. WASHAKIE, WYOMING TO TOUR SHASHONE/ARAPHOE EARLY HEAD START PROGRAM. FUNDS TO COME FROM #391-9700-1173. MSC: NORTON/JACKSON. MOTION CARRIED.

MOTION #31 TO APPROVE TRAVEL FOR EHS DIRECTOR AND GRANTS COMPLIANCE OFFICER TO ATTEND FISCAL ACCOUNTABILITY TRAINING IN NORMAN, OK., NOVEMBER 16-19, 2009. FUNDS TO COME FROM #391-97100-1173. MSC: JACKSON/NELSON. MOTION CARRIED.

MOTION #32 TO AUTHORIZE PAYMENT TO MORISSET, SCHLOSSER & JOZWIAK IN THE AMOUNT OF \$36,669.87 FOR OUTSIDE ATTORNEY SERVICES FOR THE MONTH OF AUGUST 2009. FUNDS TO COME FROM #010-92200-1500. MSC: NORTON/JACKSON. MOTION CARRIED.

MOTION #33 TO AUTHORIZE PAYMENT TO MORISSET, SCHLOSSER & JOZWIAK IN THE AMOUNT OF \$24,199.04 FOR OUTSIDE ATTORNEY SERVICES FOR THE MONTH OF SEPTEMBER 2009. FUNDS TO COME FROM #010-92200-1500. MSC: JACKSON/BILLINGS. MOTION CARRIED.

MOTION #34 TO ACCEPT TERMS OF SETTLEMENT AGREEMENT IN THE MATTER OF HMBE V ERIC B. PETERSON FILED IN UNITED STATE BANKRUPTCY COURT. MSC: NORTON/BILLINGS. MOTION CARRIED.

MOTION #35 TO ACCEPT THE DOE-EECBG GRANT FOR \$88,500.00 AWARDED ON SEPTEMBER 23, 2009 FOR ENERGY AUDIT/RETROFITS AND ENERGY EFFICIENCY PROJECT ACTIVITIES WITHIN THE NEIGHBORHOOD FACILITY. MSC: NORTON/NELSON. MOTION CARRIED.

MOTION #36 TO AWARD BID FOR CLEAN UP OF BURNT HOUSE AND ADJACENT STRUCTURE LOCATED ON LOOP ROAD. TO JB CONSTRUCTION. MSC: JACKSON/BILLINGS. MOTION CARRIED.

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**MOTION #37 TO JOIN THE INTER-TRIBAL AGRICULTURE COUNCIL AND PAY
A MEMBERSHIP FEE OF \$200.00. MSC: NORTON/NELSON.
MOTION CARRIED.**

**MOTION #38 TO APPROVE TRAVEL FOR THE CHAIRMAN TO WASHINGTON,
D.C. TO MEET WITH THE PRESIDENT AT THE TRIBAL LEADERS
MEETING, NOVEMBER 2-6, 2009. MSC: JACKSON/BILLINGS.
MOTION CARRIED.**

**MOTION #39 TO APPROVE TRAVEL TO ST. PAUL, MINNESOTA FOR ROBERT
KANE AND MARCELLENE NORTON TO ATTEND THE U.S.
DEPARTMENT OF JUSTICE TRIBAL NATIONAL LISTENING
SESSION ON PUBLIC SAFETY AND LAW ENFORCEMENT FROM
OCTOBER 27-30, 2009. FUNDS TO COME FROM ACCOUNT #010-
98009-0500 AND ACCOUNT #010-98010-0011. MSC:
JACKSON/BILLINGS. MOTION CARRIED.**

**MOTION #40 TO AUTHORIZE CHAIRMAN AND MARCELLENE NORTON TO
HIRE A CONSULTANT TO A WRITE GRANT FOR THE BIOMASS
PROJECT. MSC: JACKSON/NELSON. MOTION CARRIED.**

**MOTION #41 TO ADJOURN THE MEETING AT 11:30 A.M. MSC:
JACKSON/BILLINGS**

**MOTION #42 TO RE-CONVENE TO RESCHEDULE THE GENERAL MEETING
DATE TO NOVEMBER 7, 2009 AT 10:00 A.M. MSC:
NELSON/BILLINGS. MOTION CARRIED.**

**MOTION #43 TO ADJOURN THE MEETING AT 11:35 A.M. MSC:
BILLINGS/NORTON. MOTION CARRIED.**